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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 2473.0060008/PAJ/M-M				
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p> <p>Signature _____</p> <p>Typed or printed name _____</p>		<p>In re Application of SETTE et al.</p> <table border="1"> <tr> <td>Application Number 09/350,401</td> <td>Filed July 8, 1999</td> </tr> </table> <p>For See 1 in Addendum</p> <table border="1"> <tr> <td>Art Unit 1644</td> <td>Examiner Schwadron, Ronald B.</td> </tr> </table>	Application Number 09/350,401	Filed July 8, 1999	Art Unit 1644	Examiner Schwadron, Ronald B.
Application Number 09/350,401	Filed July 8, 1999					
Art Unit 1644	Examiner Schwadron, Ronald B.					
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540.00</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 19-0036 .</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p>						
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input type="checkbox"/> attorney or agent of record. Registration number _____.</p> <p><input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. 54,325</p>						
 <p>Signature</p> <p>Mita Mukherjee</p> <p>Typed or printed name</p> <p>(202) 371-2600</p> <p>Telephone number</p> <p>June 11, 2009</p> <p>Date</p>						
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.*</p> <p><input checked="" type="checkbox"/> *Total of 1 forms are submitted.</p>						

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Addendum

1. Inducing Cellular Immune Responses to Hepatitis B Virus Using Peptide and Nucleic Acid Compositions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: SETTE <i>et al.</i> Appl. No.: 09/350,401 Filed: July 8, 1999 For: Inducing Cellular Immune Responses to Hepatitis B Virus Using Peptide and Nucleic Acid Compositions	Confirmation No.: 8008 Art Unit: 1644 Examiner: Schwadron, Ronald B. Atty. Docket: 2473.0060008/PAJ/M-M
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**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences – Large Entity**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated December 11, 2008, in which claims 41, 52, 53, 55, 57, 58, 61, and 62 were finally or twice rejected.

The fee (for a large entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 41.20(b)(1)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is provided via online credit card payment authorization. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Mita Mukherjee
Agent for Applicants
Registration No. 54,325

Date: June 11, 2009

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